BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Renton Municipal Airport Taxiway B Rehabilitation Project Special Grade/Fill Permit LUA12-052, ECF, SP	FINAL DECISION

Summary

The Applicant has applied for a Special Permit for Grade/Fill for the rehabilitation of 341,065 square feet of Taxiway B of the Renton Municipal Airport. The rehabilitation project would include new storm drainage, pavement, striping, directional safety signage, taxiway edge lighting, and replacement of a water main. The permit is approved with conditions.

Testimony

Vanessa Dolbee, Renton Senior Planner, stated that the application is for a grade-and-fill permit to remodel an airport taxiway. The project is located at Renton Municipal Airport (616 West Perimeter Road). The application proposes reconstruction of the airport's east taxiway, which services the main runway. The airport is located in Renton's industrial-medium zone, and the project site is 7.84 acres. The overall airport site is 167.3 acres. No changes to existing structures will be made. The project is broken into two phases. The first phase is exempt from the special grade-and-fill permit per Renton Municipal Code (RMC) 4-9-080©(6). However, phase 2 does require a special grade-and-fill permit. Additionally, a shoreline exemption is required because an area of the project is located in the Shoreline High Intensity Designation along the Cedar River (reach A). The closest point of work for the project is approximately 64ft from the flood wall of the river. The flood wall is estimated to be the ordinary high water mark for the area. A shoreline exemption is requested for normal

maintenance and repair. Overall, phase 2 requires 6,700 cubic yards of gravel, import borrow material, top soil, and new asphalt. The project increases the impervious surface area by 8/10 of one percent over the existing 234,700 sq ft of impervious surface. Phase 2 includes new storm drainage, pavement, taxiway edge lighting, striping, directional safety signage, and a water main replacement. According to Ms. Dolbee, on November 19, 2012, an environmental review produced a determination of non-significance with two mitigation measures. A 14-day appeal period commenced on November 19th, and no appeals were filed. No members of the public or agencies commented on the project. According to Renton Code, the hearing examiner needs to consider the traffic volumes and patterns that will be affected by the project. Construction will occur Monday through Friday from 7am-6pm. Hauling routes will occur from Airport Way S to Rainier Avenue. The applicant indicated that the number and frequency of vehicle trips would not significantly affect public streets. There are no screening or fencing requirements in the city's development standards for this site, but the airport does already have a fence. The project will comply with all FAA regulations. Dust control will be provided during construction through the use of water or other methods as approved by the King County Water Surface Manual. Noise levels due to construction will not rise above noises heard at the airport on a regular basis, and the completed project will not raise noise levels from their current state. The applicant submitted a surface water report for both phases of the project which were prepared by Reid Middleton. An upgraded surface water management facility is included as part of the project. Stormwater discharge will continue to flow towards the Cedar River. The permit is a one-time, project-specific permit for a limited period. Staff recommends approval of the permit. All best management recommendations will be made during the building permit process.

Jonathan Wilson, Assistant Airport Manager, testified that he is project manager for the construction. He thanked city staff for preparing the detailed report on the project.

In response to questions from the Examiner, Kurt Addicott, Reid Middleton Engineer Inc., stated that a significant amount of asphalt and rock will be hauled for this project. One truck brings in roughly 30-40 cubic yards of material. The total amount of material for the project is 6,700 cubic yards (approximately 200 truck loads). The haul route goes up Rainier Avenue to reach the north entrance of the airport. Rainier Avenue hosts primarily businesses, but there are some residences along the northern part of the road. The project managers anticipate construction lasting 63 days. Truck hauling will occur throughout this entire period. The Cedar River water quality will not be decreased due to runoff associated with the project.

Ms. Dolbee noted that the construction hours in the application were proposed by the applicant, but these hours comply with Renton Code. The zoning along Rainier Avenue and Airport Way is commercial arterial zoning, typically. There are a few multi-family residences in the vicinity, however.

Kayren Kittrick, Development Services Supervisor, added that the haul routes and any traffic control plans will be approved prior to the issue of construction permits. The proposed construction hours are within Renton's construction hour limits. During the permit process, the Community and Economic Development Department has the ability to limit construction hours.

Exhibits

Exhibits 1-15 of the exhibits identified at Page 2 of the staff report were all admitted into the record with no objections from the public. The following exhibit was admitted during the hearing:

Exhibit 16: Staff power point.

FINDINGS OF FACT

1. Applicant. Renton Municipal Airport.

2. Hearing. A hearing was held on December 18, 2012 at 1:00 pm at the Renton City Hall City Council Meeting Chambers.

Substantive:

3. Description of Proposal. The Applicant is requesting a special grade and fill permit for a rehabilitation of 341,065 square feet of Taxiway B, located at the Renton Municipal Airport, 616 West Perimeter Road; zoned Industrial Medium (IM) and located in the High Intensity Shoreline Overlay. The rehabilitation project is divided into two phases; Phase 1 consists of rehabilitation of the north portion of Taxiway B which is exempt from a special grade and fill permit. Pursuant to RMC 4-9-080(C)(6). Phase 2 would rehabilitate the south end of Taxiway B and is required to obtain a special grade and fill permit, which is included in the application. Both Phase 1 and 2 would include new storm drainage, pavement, striping, directional safety signage and taxiway edge lighting. Phase 2 would also include a replacement of a water main. Both a Geotechnical Report and a Stormwater Report were submitted with the application.

The Renton Municipal Airport is 167.38 acres, however the specific project area is approximately 7.84 acres for both Phase 1 and 2 of the taxiway rehabilitation.

The overall project consists of four parts, taxiway rehabilitation/reconstruction, storm drain lines and hydrant water lines rehabilitation, taxiway designation system modifications, and taxiway edge lighting modifications.

a. Taxiway Rehabilitation/Reconstruction: Rehabilitation of the existing east side taxiway system pavements, including the taxiway connections to the runway from Taxiway 'N' at the north and to the south connection at Runway 34. It is anticipated that the pavement rehabilitation/reconstruction could employ various partial depth or full depth reconstruction methods including hot mix asphalt

section reconstruction, reconstruction utilizing Portland Cement Concrete, and milling of the existing asphalt pavement surface followed by re-paving of new asphalt surface.

b. Storm Drain Lines and Hydrant Water Line Rehabilitation: This would include replacing several failing concrete storm drain lines with ductile iron that cross Taxiway B and K. A portion of an existing water line in the vicinity of the south end of the project site would be evaluated for likely replacement as part of Phase 2. Surface grades and associated drainage efficiency within turf infield areas between Taxiway B and Runway 34 will be evaluated. These areas may require re-grading to alleviate existing stormwater ponding issues. New drainage structures would be constructed to facilitate capture of stormwater from re-contoured pavement and turf areas.

c. Taxiway Designation System Modifications: A new taxiway designation system would be developed and the existing airfield signage system would be modified as necessary to reflect the new designations. The existing designations that include designators such as G, H, N, etc., are proposed to be changed to A1, A2, B1, B2 etc. This change would result in a need for new signage, including sign hardware and concrete foundations.

d. Taxiway Edge Lighting Modifications: Taxiway edge lighting is proposed to be adjusted or replaced as necessary to be compatible with new pavement surfaces that result from the taxiway rehabilitation /reconstruction.

4. Surrounding Area. The subject site is bordered: on the north by Lake Washington, on the east by the Cedar River, and to the south and west primarily by commercial development.

5. Adverse Impacts. There are no significant adverse impacts associated with the proposal. Pertinent impacts are addressed in more detail below:

Noise. The greatest issue of concern is noise. As testified by the project engineer, the proposal will involve over 200 trucks carrying fill over a 63 day period. Part of the truck haul route will involve areas with multi-family housing along Rainier Avenue and Airport Way. Haul hours are limited by the MDNS between 8:30 am and 3:30 pm Monday through Friday unless otherwise approved by the Development Services Division. Construction hours overall are limited by the MDNS to 7:00 am to 8:00 pm, Monday through Friday and 9:00 am and 8:00 pm on Saturdays. City staff testified that the haul route and noise impacts will be evaluated and addressed during administrative permit review of the proposal. The conditions of approval will impose a noise monitoring program to ensure that noise mitigation measures adequately protect City residents from construction noise impacts.

Drainage. Stormwater impacts will be negligible and are fully addressed by the City's stormwater regulations and the Applicant's drainage control plan and TIR., Ex. 7 and 11. Phase 2 would

result in an increase in impervious surface coverage by eight-tenths of one percent over the existing 234,700 square feet of existing impervious surface area. The Applicant has proposed to upgrade the existing surface water drainage facilities with a combination of wet biofiltration swales, filter strips, catch basins, DIP, and high-density polyethylene (HDPE) pipe. The provided TIR has indicated that along the eastern side of the taxiway crown, surface water would typically be collected and conveyed through catch basins and sent to the western side of the taxiway, within the grass infield area. These concentrated flows would be discharged into a flow splitter device for water quality measures. Water quality for the concentrated flows would be conveyed through a wet biofiltration swale. The TIR identifies that the swale would be designed to meet the King County Service Water Design Manual (KCSWDM) basic treatment criterion of removing 80 percent of the total suspended solids. After leaving the biofiltration swale the stormwater is proposed to be collected in a catch basin and diverted toward the east through a series of surface water facilities and finally discharge to the Cedar River. The TIR describes the stormwater proposal for the western side of the taxiway crown as all nonconcentrated flows which would be treated by filter strips, which would then be conveyed to catch basins where the water would combine with the treated flow from the wet biofiltattion swale. Overall the project would not change the stormwater discharge locations as it currently exists today.

Section 2 of the TIR identifies that the project would use Best Management Practices (BMPs) for flow control and would install such measure in accordance with the requirements of the KCSWDM. Furthermore a Stormwater Pollution Prevention Plan (SWPPP) for the construction activities would be developed as a part of the overall project.

Dust. In the Technical Information Report (TIR) it is identified that the contractor shall control dust to prevent sediment transport from exposed, dry surfaces to the adjacent waterways. It is anticipated that the Contractor would use water for dust control; however the KCSWDM permits the use of other methods to control dust.

Critical Areas. There are no critical areas on site. The project is within 200 feet of the Cedar River but is exempt from requiring a shoreline substantial development permit.

Screening and Landscaping. No screening or fencing is required by the City of Renton Development Standards for the Airport Use. However, the Airport currently maintains a perimeter fence and ground cover landscaping in any area not covered by impervious surfaces. Airport operations and regulations are determined by the Federal Aviation Administration (FAA), which includes recommendation on Building Restriction Lines (BRL) i.e. Setbacks. Pursuant to the FAA Advisory Circular/150_5300_13a BRL should be set beyond the Runway Protection zones, the Object Free Zones, the Object Free Areas, the runway visibility zone, etc… The project would comply with all FAA regulations.

The closest point of work to the Ordinary High Water Mark (OHWM) of the Cedar River is 64 feet from the flood wall (which is estimated to be the approximate location of the OHWM). Approximately 430 feet of the north end of Taxiway B lies within the 200 foot Shoreline

Jurisdiction.

Under current conditions the taxiway functions effectively with the existing fencing, landscaping and setbacks. The rehabilitation project would not result in any changes to the existing screening, landscaping, fencing and setback conditions at the subject site.

Conclusions of Law

Procedural:

1. Authority of Hearing Examiner. RMC 4-9-080(F)(1)(a) provides that the hearing examiner is responsible for granting special permits for fill and grade for grading and/or excavation involving more than 500 cubic yards of minerals or materials. Phase 2 of the proposal involves more than 500 cubic yards of grading and excavation.

Substantive:

2. Applicable Standards. RMC 4-9-080(F)(4) governs the criteria for special fill/grade permits. Applicable criteria are quoted below in italics and applied through corresponding conclusions of law.

RMC 4-9-080(F)(4): *To grant a special permit, the Hearing Examiner shall make a determination that.. the proposed activity would not be unreasonably detrimental to the surrounding area. The Hearing Examiner shall consider, but is not limited to, the following:*

i. Size and location of the activity.

ii. Traffic volume and patterns.

iii. Screening, landscaping, fencing and setbacks.

iv. Unsightliness, noise and dust.

v. Surface drainage.

vi. The length of time the application of an existing operation has to comply with nonsafety provisions of this Title.

3. As determined in Finding of Fact No. 5, there are no significant adverse impacts associated with the proposal, which would include unreasonably detrimental impacts to the surrounding area. The proposal involves rehabilitation of an existing airport facility with no permanent operational impacts to adjoining parcels. The proposal does not create any need for additional

screening or landscaping nor is any screening or landscaping required by Renton regulations. A negligible amount of impervious surface will be added by the proposal and as discussed in FOF No. 5 the City's stormwater regulations and proposed drainage improvements are more than adequate to mitigate any drainage issues created by the proposal. The most significant adverse impacts are arise from construction, in particular noise and dust caused by the hauling of materials and the on-site excavation and grading activities. These issues are addressed by limited hours of construction and the conditions of approval.

DECISION

The special grade/fill permit is approved subject to the following conditions:

1. The Applicant shall report any complaints regarding noise to a person designated by City Staff and how the complaint was resolved within 24 hours of receipt. City staff shall monitor all complaints it receives from the Applicant and the public and shall restrict construction activities as reasonably necessary to mitigate any on-going unreasonable noise impacts .

2. The Applicant shall comply with all measures recommended and/or proposed in the Technical Information Report, Ex. 11.

DATED this 3rd day of January, 2012.

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Phil A. Olbrechts
City of Renton Hearing Examiner

Appeal Right and Valuation Notices

RMC 4-8-110(E)(9) and/or RMC 4-8-110(F)(1) provides that the final decision of the hearing examiner is final subject to appeal to the Renton City Council. RMC 4-8-110(E)(9) requires appeals of the hearing examiner's decision to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision. A request for reconsideration to the hearing e examiner may also be filed within this 14 day appeal period as identified in RMC 4-8-110(E)(8) and RMC 4-8-100(G)(4). A new fourteen (14) day appeal period shall commence upon the issuance of the

reconsideration. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall – 7th floor, (425) 430-6510.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.